

273.3182 Reinstatement following administrative dissolution or revocation under prior law -- Amendment of articles of incorporation to extend or delete period of duration. (Repealed, effective January 1, 2011)

- (1) A corporation administratively dissolved under KRS 273.318 or revoked under the provisions of KRS 273.367, which was repealed by 1988 Ky. Acts, ch. 23, sec. 248, may apply to the Secretary of State for reinstatement at any time after the effective date of dissolution or revocation. The application shall:
 - (a) Recite the name of the corporation and the effective date of its administrative dissolution or revocation;
 - (b) State that the ground or grounds for dissolution or revocation either did not exist or have been eliminated;
 - (c) State that the corporation's name satisfies the requirements of KRS 273.177;
 - (d) Contain a certificate from the Department of Revenue reciting that all taxes owed by the corporation have been paid; and
 - (e) Be accompanied by the fee for filing a statement or report provided for in KRS 273.368(1)(j) and the current fee for filing each delinquent annual report provided for in KRS 273.368.
- (2) If the Secretary of State determines that the application contains the information required by subsection (1) of this section and that the information is correct, the Secretary of State shall cancel the certificate of dissolution or revocation and prepare a certificate of existence that recites the determination and the effective date of reinstatement, file the original of the certificate, and serve a copy on the corporation by mailing the notice by first class mail to the corporation at its principal office.
- (3) When the reinstatement is effective, it shall relate back to and take effect as of the effective date of the administrative dissolution or revocation and the corporation shall resume carrying on its business as if the administrative dissolution or revocation had never occurred.
- (4) A corporation administratively dissolved upon the expiration of its period of duration may, in the sixty (60) day period beginning on the date of expiration, amend its articles to extend its period of duration or to delete its period of duration, which amendment will relate back to the day immediately preceding the expiration of the period of duration. A corporation which fails to so amend its articles of incorporation in that sixty (60) day period may not thereafter be reinstated, and shall liquidate its business and affairs as provided in this chapter.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 133, sec. 20, effective July 15, 2010; and repealed ch. 151, sec. 151, effective January 1, 2011. -- Amended 2005 Ky. Acts ch. 85, sec. 669, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 341, sec. 58, effective July 15, 1998. -- Amended 1992 Ky. Acts ch. 161, sec. 4, effective April 1, 1992. -- Created 1988 Ky. Acts ch. 23, sec. 230, effective January 1, 1989.

Legislative Research Commission Note (1/1/2011). 2010 Ky. Acts ch. 151, sec. 151, has repealed this statute effective January 1, 2011.